

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NUKY CONSTANTINI,	:	
	:	
Plaintiff,	:	
	:	21 Civ. 6826 (LGS)
-against-	:	
	:	<u>ORDER</u>
HARTFORD LIFE AND ACCIDENT	:	
INSURANCE COMPANY,	:	
Defendant.	:	
-----X	:	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, the initial pre-trial conference in this matter is scheduled for November 18, 2021, at 10:40 a.m. (Dkt. No. 14.)

WHEREAS, no significant issues were raised in the parties' joint letter. (Dkt. No. 26.)

WHEREAS, on November 3, 2021, Defendant filed a pre-motion letter in anticipation of a motion to dismiss the operative complaint (the "Motion"). (Dkt. No. 21.) In its pre-motion letter, Defendant raised a question as to whether the operative complaint was Plaintiff's First Amended Complaint at Docket No. 19.

WHEREAS, on November 11, 2021, Plaintiff filed a response. (Dkt. No. 25.) It is hereby

ORDERED that, the initial pre-trial conference is waived. If the parties believe that a conference would nevertheless be useful they should inform the court immediately so the conference can be reinstated. It is further

ORDERED that the operative complaint is Plaintiff's First Amended Complaint (the "FAC") at Docket No. 19. The FAC and Defendant's response thereto are deemed timely filed. It is further

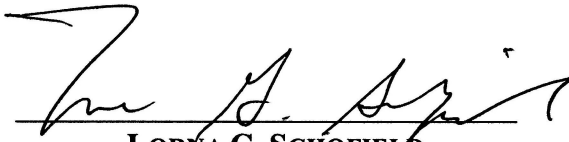
ORDERED that, the Motion shall be briefed according to the following schedule:

- By **December 7, 2021**, Defendant shall file the Motion with a memorandum of law not to exceed 25 pages.
- By **January 4, 2022**, Plaintiff shall file any opposition, not to exceed 25 pages.
- By **January 14, 2022**, Defendant shall file any reply in support of the Motion, not to exceed 10 pages.

The parties shall comply with this Court's Individual Rules in filing the Motion and supporting papers.

The Clerk of Court is respectfully directed to close the motion at Docket No. 21.

Dated: November 12, 2021
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE